

1 DAVID L. ANDERSON (CABN 149604)
United States Attorney

2 HALLIE HOFFMAN (CABN 210020)
3 Chief, Criminal Division

4 RICHARD EWENSTEIN (CABN 294649)
Assistant United States Attorney

5 450 Golden Gate Avenue, Box 36055
6 San Francisco, California 94102-3495
7 Telephone: (415) 436-6842
8 FAX: (415) 436-7027
richard.ewenstein@usdoj.gov

Attorneys for United States of America

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION
12

13 UNITED STATES OF AMERICA,) NO. CR 20-CR-00040-JD
)
14 Plaintiff,) STIPULATION RESETTING HEARING DATE
) AND EXCLUDING TIME AND ORDER
15 v.)
)
16 ADAM NICHOLAS WORKMAN,)
)
17 Defendant.)
)

18
19 It is hereby stipulated by and between counsel for the United States and counsel for the
20 defendant Adam Workman that the defendant's initial appearance before this Court scheduled for March
21 18, 2020 be reset for April 22, 2020 at 10:30 a.m. It is further hereby stipulated by the parties that time
22 be excluded under the Speedy Trial Act from March 18, 2020 through April 22, 2020.

23 The parties stipulate and agree that time be excluded under the Speedy Trial Act so that defense
24 counsel can continue to prepare, including by conferring with the defendant regarding a proposed plea
25 agreement. As of the date of this motion, the President of the United States has declared a national
26
27
28

1 public health emergency,¹ and the Governor of the State of California has declared a public health
2 emergency through the state,² both in response to the spread of the virus known as COVID-19. One of
3 the effects of this public health situation has been an impairment of defense counsel's ability to meet
4 with and effectively communicate with her client. Therefore, the parties stipulate and agree that
5 excluding time until April 22, 2020 will allow for the effective preparation of counsel. *See* 18 U.S.C.
6 § 3161(h)(7)(B)(iv). The parties further stipulate and agree that the ends of justice served by excluding
7 the time from March 18, 2020 through April 22, 2020 from computation under the Speedy Trial Act
8 outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A),
9 (B)(iv).

10 The undersigned Assistant United States Attorney certifies that he has obtained approval from
11 counsel for the defendant to file this stipulation and proposed order.

12
13 IT IS SO STIPULATED.

14 DATED: 03/16/2020

/s/

RICHARD EWENSTEIN
Assistant United States Attorney

16 DATED: 03/16/2020

/s/

ELLEN LEONIDA
Counsel for Defendant Adam Workman

25
26 ¹ *See Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease*
27 *(COVID-19) Outbreak*, <https://www.whitehouse.gov/presidential-actions/proclamation-declaring-national-emergency-concerning-novel-coronavirus-disease-covid-19-outbreak/> (Mar. 13, 2020).


28 ² *See Governor Newsom Declares State of Emergency to Help State Prepare for Broader Spread of COVID-19*, <https://www.gov.ca.gov/2020/03/04/governor-newsom-declares-state-of-emergency-to-help-state-prepare-for-broader-spread-of-covid-19/> (Mar. 4, 2020).

1 **ORDER**

2 Based upon the facts set forth in the stipulation of the parties and for good cause shown, the
3 Court resets the initial appearance hearing from March 18, 2020 to April 22, 2020 and finds that failing
4 to exclude the time from March 18, 2020 through April 22, 2020 would unreasonably deny defense
5 counsel and the defendant the reasonable time necessary for effective preparation, taking into account
6 the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of
7 justice served by excluding the time from March 18, 2020 through April 22, 2020 from computation
8 under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial.
9 Therefore, and with the consent of the parties, IT IS HEREBY ORDERED that the initial appearance
10 hearing set on March 18, 2020 is reset for April 22, 2020 and time from March 18, 2020 through April
11 22, 2020 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A),
12 (B)(iv).

13
14 IT IS SO ORDERED.

15
16 DATED: March 16, 2020

17 
18 _____
19 JAMES DONATO
20 United States District Judge
21
22
23
24
25
26
27
28